

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

MAR 18 2009

NORMAN JOE LANGFORD,

Petitioner,

vs.

STATE OF OKLAHOMA,

Respondent.

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ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W.H. DEPUTY

No. CIV-09-258-W

ORDER

On March 10, 2009, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Court deny the Application to Proceed Without Prepayment of Fees submitted by petitioner Norman Joe Langford and dismiss the matter unless Langford paid the \$5.00 filing fee in full by March 30, 2009.

Langford was advised of his right to object to the Report and Recommendation. He has not objected to Magistrate Judge Purcell's findings or recommendations; he has instead sought an extension of time to pay the filing fee.

Upon review of the record, the Court concurs with Magistrate Judge Purcell's suggested disposition of Langford's request for leave to proceed in forma pauperis but finds that Langford should be given additional time to pay the necessary fee.

Accordingly, the Court


(1) ADOPTS the Report and Recommendation filed on March 10, 2009, to the extent that the Court hereby DENIES Langford's Application to Proceed Without Prepayment of Fees [Doc. 2] file-stamped March 6, 2009;

(2) GRANTS Langford's Request for Extension of Time to Pay Filing Fee [Doc. 6] file-stamped March 17, 2009;

(3) DIRECTS Langford¹ to pay the filing fee of \$5.00 in full on or before April 15, 2009; and

(4) ADVISES Langford that if he fails to pay the filing fee by such date this matter will be dismissed without prejudice to refiling.

ENTERED this 18th day of March, 2009.


LEE R. WEST
UNITED STATES DISTRICT JUDGE

¹Langford has asked this Court to order the Lawton Correctional Facility to send the filing fee to the Clerk of the Court. This request is denied since it is Langford's responsibility to take the necessary action to seek the release of funds to pay the filing fee. In this connection, Langford may submit this Order to explain the purpose of his request for release of funds.